

MARYLAND, That new Sections 3(q), (r), and (s); and 38 through 42, inclusive, to be under the new subtitle "Group Homes" be and they are hereby added to Article 59A - Mental Retardation, of the Annotated Code of Maryland (1972 Replacement Volume and 1976 Supplement) to read as follows:

Article 59A - Mental Retardation

3.

(Q) "BOARD" MEANS THE BOARD OF PUBLIC WORKS.

(R) "GROUP HOME" MEANS A COMMUNITY BASED RESIDENTIAL AND RESPITE CARE FACILITY WHICH ADMITS AT LEAST FOUR BUT NO MORE THAN EIGHT MENTALLY RETARDED PERSONS, MAINTAINS THE NECESSARY FACILITIES FOR THEIR CARE OR TREATMENT AND PROVIDES A HOME TYPE ENVIRONMENT TO PERSONS WHO, BECAUSE OF MENTAL RETARDATION, REQUIRE SPECIALIZED LIVING ARRANGEMENTS.

(S) "COUNTY" INCLUDES BALTIMORE CITY.

GROUP HOMES

38.

THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:

(1) THERE IS A NEED FOR GROUP HOMES FOR PERSONS WHO ARE MENTALLY RETARDED AND WHOSE DEVELOPMENT WOULD BE ENHANCED BY RESIDING IN AN APPROPRIATE COMMUNITY BASED GROUP HOME IN LIEU OF A LARGE STATE INSTITUTION.

(2) THESE COMMUNITY BASED GROUP HOMES ARE BUT ONE COMPONENT IN PROVIDING FOR THE RESIDENTIAL NEEDS OF THE MENTALLY RETARDED.

(3) IN ORDER TO ASSURE THAT THESE GROUP HOMES WILL BE ACCEPTED IN THE COMMUNITY AND TO THE MAXIMUM EXTENT PRACTICABLE, THESE GROUP HOMES SHOULD BE LOCATED BY LOCAL GOVERNMENT, CONSISTENT WITH THE PRINCIPLES OF NORMALIZATION, STATEWIDE STANDARDS, AND WITH STATE FINANCIAL AND TECHNICAL SUPPORT.

39.

(A) THE DIRECTOR, UNDER THE DIRECTION OF THE SECRETARY, SHALL EVALUATE AND DETERMINE THE NEED, IF ANY, FOR ONE OR MORE GROUP HOMES IN EACH COUNTY OR MULTICOUNTY REGION OF THE STATE. THE COMPLETED NEEDS STUDY SHALL BE A PUBLIC DOCUMENT A COPY OF WHICH SHALL BE SENT TO EACH COUNTY OR MULTICOUNTY REGION AS APPROPRIATE.

(B) IN DETERMINING THE NEEDS FOR GROUP HOMES IN A COUNTY OR MULTICOUNTY REGION, THE FOLLOWING FACTORS SHALL BE CONSIDERED: